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DIOMED HOLDINGS, INC. AND DIOMED, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

VNUS MEDICAL TECHNOLOGIES,
INC.,

Plaintiff,

vs.

DIOMED HOLDINGS, INC., DIOMED,
INC., ANGIODYNAMICS, INC. and
VASCULAR SOLUTIONS, INC.

Defendants

Case No. C05-02972 MMC

**ORDER GRANTING IN PART AND
DENYING IN PART MOTION FOR
ADMINISTRATIVE RELIEF TO FILE
DOCUMENTS UNDER SEAL**

[CIV. LOCAL RULES 7-11, 79-5]

Judge: Hon. Maxine M. Chesney

AND RELATED COUNTERCLAIMS

In conjunction with Defendants Diomed Holdings, Inc., and Diomed, Inc.'s ("Diomed")
Reply in Support of Motion for Summary Judgment of Invalidity Under 35 U.S.C. §§ 102-103,
Diomed filed a Joint Motion for Administrative Relief To File Documents Under Seal with respect
to certain documents designated "confidential" pursuant to the Stipulated Protective Order in this


1 case. Based upon this motion and the Declaration filed by Plaintiff VNUS Medical Technologies,
2 Inc. ("VNUS"), pursuant to Civil Local Rule 79-5(d), and good cause appearing therefore, Diomed's
3 Joint Motion for Administrative Relief to File Documents Under Seal is GRANTED in part,
4 specifically, the Clerk is directed to file under seal unredacted versions of the following documents:

- 5 • Exhibits KK, MM, and OO to the Declaration of Charles Steenburg in Support of
6 Defendants' Reply in Support of Motion for Summary Judgment of Invalidity Under
7 35 U.S.C. §§ 102-103; and
- 8 • Defendants' Reply in Support of Motion for Summary Judgment of Invalidity Under
9 35 U.S.C. §§ 102-103.

10 With respect to Exhibit KK, only a portion of said exhibit is, for the reasons stated by VNUS,
11 properly filed under seal. Accordingly, Diomed's motion is DENIED to the extent Diomed seeks
12 leave to file the entirety of Exhibit KK under seal. If Diomed wishes the Court to consider the
13 portion of Exhibit KK not designated as confidential by VNUS, specifically, any portion other than
14 page 45:3-25, Diomed is DIRECTED to electronically file in the public record such portion(s) no
15 later than September 25, 2007.

16 IT IS SO ORDERED.

17 Dated: September 20, 2007

18 
19 Hon. Maxine M. Chesney
20 Judge, United States District Court